

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

YAJAIRA HINOJOSA,

Plaintiff,

-v-

ROBERT E. JUDGE PC,

Defendant.

24 Civ. 5972 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

On September 30, 2024, defendant filed a motion to dismiss the complaint under Rule 12 of the Federal Rules of Civil Procedure. Dkt. 9. Under Rule 15(a)(1)(B), a plaintiff has 21 days after the service of a motion under Rule 12(b) to amend the complaint once as a matter of course.

Accordingly, it is hereby ORDERED that plaintiff shall file any amended complaint by October 21, 2024. No further opportunities to amend will ordinarily be granted. If plaintiff does amend, by November 11, 2024, defendant shall: (1) file an answer; (2) file a new motion to dismiss; or (3) submit a letter to the Court, copying plaintiff, stating that defendant relies on the previously filed motion to dismiss.¹

It is further ORDERED that if no amended complaint is filed, plaintiff shall serve any opposition to the motion to dismiss by October 21, 2024. A reply from defendant shall be served by November 4, 2024. At the time any reply is served, the moving party shall supply the Court with a courtesy copy of all motion papers by attaching them as PDF files to a single email addressed to EngelmayerNYSDChambers@nysd.uscourts.gov.

¹ If defendant files a new motion to dismiss or relies on its previous motion, an opposition from plaintiff will be due 14 days thereafter, and a reply from defendant will be due seven days after that.

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SO ORDERED.

A handwritten signature in cursive script, reading "Paul A. Engelmayer".

PAUL A. ENGELMAYER
United States District Judge

Dated: September 30, 2024
New York, New York